

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

FALLS ACTION SPORTS, INC.,

Plaintiff,

v.

Case No. 08-C-392

ARCTIC CAT SALES, INC.,

Defendant.

ORDER

This matter was before the court on a motion to compel discovery and to extend time for disclosure of experts. The Court considered the written filings of the parties and the arguments at a hearing held February 13, 2009. Based upon the arguments of counsel and the proceedings at the hearing, **IT IS HEREBY ORDERED** as follows:

1. Defendant Arctic Cat Sales, Inc. shall respond to the outstanding discovery requests for documents concerning market share in the Northeast Wisconsin territory and dealer territory information, as clarified at the hearing, on or before March 15, 2009.
2. Defendant Arctic Cat Sales, Inc. shall also provide any interoffice memo's or notes regarding the appointment of dealers in Green Bay, on or before March 15, 2009.
3. The parties shall consult with one another and with Defendant Arctic Cat's IT personnel in an effort to formulate search terms to respond to plaintiff's electronic discovery requests on or before March 15, 2009.
4. In the event Defendant Arctic Cat claims that the request are overly burdensome and costly, a motion for a protective order shall be filed prior to the date the documents are due. Plaintiff shall respond to the motion within ten days and Arctic Cat will have five days to file a reply.

5. Unless Arctic Cat objects within the next fourteen days, Plaintiff will be permitted to share documents that have already been produced “For Attorney’s Eyes Only” with their client. If Arctic Cat does object, it must accompany its objections with a Statement of Reasons why the general confidentiality requirements of the protective order are not sufficient to protect its interests. If Defendant Arctic Cat does object, Plaintiff shall have ten days to respond and Arctic Cat may reply within five days thereafter.
6. Plaintiff’s motion to extend time for disclosure of expert witnesses is hereby granted. Arctic Cat will be granted a corresponding extension of time for disclosure of their experts.

Dated this 13th day of February, 2009.

s/ William C. Griesbach
William C. Griesbach
United States District Judge